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UNITED STATES BANKRUPTCY COURT
SOUTHERN DISTRICT OF CALIFORNIA

In Re:

DAVID MICHAEL PETERS

Debtor.

**LEONARD J. ACKERMAN, Chapter 7
Trustee,**

Plaintiff,

v.

DAVID MICHAEL PETERS,

Defendant.

Case No. 23-00105-MM7

Adv. No. 23-90068 MM

**NOTICE OF REQUIREMENT
TO COMPLY WITH
BANKRUPTCY LOCAL RULE 7016**

Dept. One (1)

Judge: Honorable Margaret M. Mann

PLEASE TAKE NOTICE that compliance with Bankruptcy Local Rule 7016 is required in this adversary proceeding. A copy of Local Form CSD 3018, Certificate of Compliance with Early Conference of Counsel, is attached hereto, marked Exhibit "A".

Dated: October 15, 2023

Respectfully Submitted,

SLATER & TRUXAW, LLP

By: /s/ Gary E. Slater

Gary E. Slater

Attorneys for Plaintiff

Leonard J. Ackerman, Chapter 7 Trustee

CSD 3018 [12/01/2022]
Name, Address, Telephone No. & I.D. No.

| | | |
|---|--|---|
| UNITED STATES BANKRUPTCY COURT SOUTHERN DISTRICT OF CALIFORNIA 325 West F Street, San Diego, California 92101-6991 | | |
| In Re | | |
| Debtor. | | BANKRUPTCY NO. |
| Plaintiff(s) | | ADVERSARY NO. |
| v. | | Date & Time of Pre-Trial Status Conference: |
| Defendant(s) | | Name of Judge: |

CERTIFICATE OF COMPLIANCE WITH EARLY CONFERENCE OF COUNSEL
[LOCAL BANKRUPTCY RULE 7016-1]

TO THE HONORABLE UNITED STATES BANKRUPTCY JUDGE:

The parties submit the following **Certificate of Compliance with Early Conference of Counsel** in accordance with LBR 7016-1(c):

A. SERVICE OF PLEADINGS

- Have all parties been served? ☐ Yes ☐ No
- Have all parties filed and served answers to the complaint, counterclaims, etc.? ☐ Yes ☐ No

B. SETTLEMENT AND MEDIATION

- What is the status of settlement efforts?
- Has this dispute been formally mediated? If so, when?
- Has mediation been discussed with your client? (See LBR 7016-3.)

| | |
|--|--|
| Plaintiff | Defendant |
| <input type="checkbox"/> Yes <input type="checkbox"/> No | <input type="checkbox"/> Yes <input type="checkbox"/> No |
- The parties desire to go to voluntary, non-binding mediation. (See Administrative Procedures, Section 5) They have reviewed the list of mediators on the court's website (www.casb.uscourts.gov) or obtained the list from the court and have selected the following persons subject to availability as first, second, and third choices for mediator:
 First Choice:
 Second Choice:
 Third Choice:

Parties are requested to notify the courtroom deputy of their preferences at the time a pretrial status conference date is obtained.

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C. DISCOVERY

1. Discovery should be propounded in time to be completed by _____ .
2. The parties held their early conference of counsel on _____ .
(LBR 7016-1(a)(3) requires the early conference of counsel within 30 days after all defendants have appeared or, in cases having multiple defendants, within 45 days after the first defendant appears.)
3. Initial disclosures (FRBP 7026(a)(1)) should be served by _____ .
4. Maximum of ____ interrogatories by each party to any other party.
5. Maximum of ____ requests for admission by each party to any other party.
6. Maximum of ____ depositions by plaintiff(s) and ____ by defendant(s).
7. Each deposition [other than of _____] should be limited to a maximum of ____ hours unless extended by agreement of the parties.
8. Expert disclosures (FRBP 7026(a)(2)) should be served by _____ .
9. Rebuttal expert disclosures (FRBP 7026(a)(2)) should be served by _____ .
10. Expert reports (FRBP 7026(a)(2)(B)) should be served by _____ .
11. Rebuttal expert reports (FRBP 7026(a)(2)(B)) should be served by _____ .
12. Any supplemental disclosures and discovery responses (FRBP 7026(e)) should be served by _____ .

D. MOTION PRACTICE

1. Motions to join additional parties or to amend the pleadings should be filed by _____ .
2. All other motions, except motions in limine, should be filed by _____ .

E. TRIAL PREPARATION

1. When will you be ready for trial in this case? _____ .
2. What is your estimate of the time required to present both sides of the case at trial (including rebuttal phase, if applicable)? _____
3. How many witnesses do you intend to call at trial (including opposing parties)? _____

F. CONSENT TO BANKRUPTCY COURT JUDGMENT

The following parties consent to entry of final orders or judgment by the Bankruptcy Court:

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G. PRETRIAL STATUS CONFERENCE

A further pretrial status conference in this case should be held on _____ at _____ m.

At that time, the Court may set deadlines for pretrial disclosures and objections (FRBP 7026(a)(3)) and schedule the final pretrial conference (FRBP 7016(e)).

H. ADDITIONAL COMMENTS/RECOMMENDATIONS RE TRIAL: (Use additional page if necessary.)

Dated: _____

Dated: _____

Firm Name

Firm Name

By: _____
Name: _____

By: _____
Name: _____

Attorney for: _____

Attorney for: _____

LBR 7016-1(c) requires this form to be filed no later than 7 days after early conference of counsel.